REMARKS

This application has been reviewed in light of the FINAL REJECTION mailed March 22, 2007. Reconsideration of this application in view of the below remarks is respectfully requested. Claims 1 – 34 are pending in the application with Claims 7 – 8 and 10 – 13 having been previously withdrawn from consideration. Of currently elected Claims 1, 4 – 6, 9 and 14 – 16, 19 – 21, 23 and 25 – 34, Claim 1, 16, 21, 25 and 32 are in independent form. By the present amendment, Claims 1, 4, 16, 21, 23, 25, 26, 32 and 33 are amended.

Amendments to Claims 1, 16 and 21 find support throughout the specification, for example in FIG. 4. Amendments to Claims 25 and 32 are for clarification of the limitations recited therein. Therefore, no new subject matter is introduced into the disclosure by way of the present amendment.

I. Objection to Claims 16, 19, 20, 21, 23 and 33

Claims 16, 19, 20, 21, 23 and 33 have been objected to, by the Examiner, for informalities. Specifically:

Claim 16 recites "the remote controller", which should be changed to "the operation section";

Claim 21 recites "a still image or a", which should be changed to "the still image or the";

Claim 23 recites "a displayed image", which should be changed to "the displayed image", and "a displayed state" should be changed to "the displayed image"; and

Claims 23 and 33 recite "a motion image", which should be changed to "the motion image", and "a still image", which should be changed to "the still image".

In response, the claims have been amended as requested by the Examiner.

II. Rejection of Claims 1, 5 – 6, 16, 19 – 21, 23, 25, 27, 28 and 32 – 34 Under 35 U.S.C. § 103(a)

Claims 1, 5 – 6, 16, 19 – 21 and 23 are rejected under 35 U.S.C. § 103(a) as allegedly obvious over U.S. Patent No. 5,270,810 issued to Nishimura in view of U.S. Patent No. 4,755,873 Kobayashi and further in view of U.S. Patent No. 6,968,119 issued to Kaku. Claims 25, 27, 28 and 32 – 34 are rejected under 35 U.S.C. § 103(a) as allegedly obvious over Nishimura in view of Kaku.

Nishimura discloses an electronic endoscope, which provides a means for freezing a frame of a live video stream by user actuation of a freeze control button. However, Nishimura does not disclose or suggest an endoscope device having a recording processing circuit for if an image to be outputted to the display device by the image signal switching circuit is the still image, recording the still image in a still image recording mode onto a predetermined recording medium, and if an image to be outputted to the display device by the image signal switching circuit is the motion image, recording the motion image in a motion image recording mode onto the predetermined recording medium; and a recording control circuit for, when an operation section (or remote controller) instructs image recording, if an image to be outputted to the display device is switched to the still image by the image signal switching circuit, setting the still image recording mode to the recording processing circuit, and if an image to be outputted to the display device is switched to the motion image by the image signal switching circuit, setting the motion image recording mode to the recording processing circuit.

Kobayashi discloses an endoscope system that allows a user to display and record still images as well as display video. In Kobayashi, a user can select one of a number of functions (i.e., freeze-picture observation, still-photographing, video recording, and optical disk) by

actuating one of a number of switches (see: col. 5, lines 5 – 19 and 30 – 40). However, Kobayashi does not disclose judging whether an image selected by the image selecting circuit and displayed on the display device is a still image or a motion image; and a recording mode setting step for, if the displayed image judging step judges the displayed image to be the still image, setting a still image recording mode, and if the displayed image judging step judges the displayed image to be the motion image, setting a motion image recording mode.

Kaku discloses a digital camera having both still image and video (motion image) recording functionality. In Kaku, a user selects between multiple recording modes (still image, video, and snapshot) by actuating a switch. Based on the switch position one of multiple recording processes is used to record the selected image type.

However, Kaku does not display the still image on the display device prior to recording the still image, rather the display device displays a live video stream prior to recording. In contrast, Applicants' claims recite if an image outputted to the display device by the image signal switching circuit is the still image, recording the still image in a still image recording mode. Thus, it is evident that the still image is being displayed on Applicants' display device. Kaku, on the other hand, displays only a live video stream prior to recording a still image. The still image recorded by Kaku is in fact a capture of a single frame within the live video stream and during display of the live video stream.

To illustrate the function of the Kaku apparatus, consider a standard consumer digital camera, which is the art to which the Kaku apparatus most closely relates. A user of such a device uses the display to set up a desired shot, thus the display must provide an active live display of the scene. Once the shot is lined up, the user depresses the shutter release and the camera then records the current data in the CCD array as a still image. Therefore, in the case of

Kaku, as well as other consumer digital cameras, a frozen or still image is not displayed in a display device prior to the recording of the image. Consequently, Kaku fails to properly disclose Applicants' invention as recited in the claims.

Hence, the teachings of Nishimura, Kobayashi and Kaku, taken alone or in any proper combination, fails to disclose or suggest "...a recording processing circuit for, when the operation section instructs image recording, if an image displayed on the display device is switched to the still image by the image signal switching circuit, recording the still image in a still image recording mode onto a predetermined recording medium, and if an image displayed on the display device is switched to the motion image by the image signal switching circuit, recording the motion image in a motion image recording mode onto the predetermined recording medium; and a recording control circuit for, when the operation section instructs to switch an image to be displayed on the display device, if an image displayed on the display device is switched to the still image by the image signal switching circuit, setting the image recording mode to the still image recording mode, and if an image displayed on the display device is switched to the motion image by the image signal switching circuit, setting the image recording mode to the motion image recording mode..." as recited in Claim 1. Claims 16, 21, 25 and 32 recites similar language.

Therefore, Claims 1, 5 – 6, 16, 19 – 21, 23, 25, 27, 28 and 32 – 34 are believed to allowable over the cited prior art references. Accordingly, Applicants respectfully request withdrawal of the rejection with respect to Claims 1, 5 – 6, 16, 19 – 21 and 23 under 35 U.S.C. § 103(a) over Nishimura in view of Kobayashi and further in view of Kaku; and Claims 25, 27, 28 and 32 – 34 under 35 U.S.C. § 103(a) over Nishimura in view of Kaku.

III. Rejection of Claims 4, 9, 14, 15, 26, and 29 – 31 Under 35 U.S.C. § 103(a)

Claims 4, 9, 14, 15, 26, and 29 – 31 are rejected under 35 U.S.C. § 103(a) as allegedly obvious over various combinations of Nishimura, Kobayashi, Kaku, U.S. Patent No. 6,059,718 issued to Taniguchi et al., U.S. Patent No. 5,825,982 issued to Wright et al., U.S. Patent No. 5,260,795 issued to Sakai et al. and U.S. Patent No. 6,243,531 issued to Takeuchi et al.

However, as these claims depend from independent Claims 1, 16, 21, 25 and 32, these claims include all the limitations recited in those independent claims.

Taniguchi et al., Wright et al., Sakai et al., and Takeuchi et al. fail to overcome the deficiencies cited above with regards to Nishimura, Kobayashi and Kaku. Consequently, Nishimura, Kobayashi, Kaku, Taniguchi, Wright, Sakai, and Takeuchi, taken alone or in any proper combination, fail to disclose or suggest Applicants' invention as recited in independent Claims 1, 16, 21, 25 and 32.

Additionally, Taniguchi et al., Wright et al., Sakai et al., Takeuchi et al., Nishimura, Kobayashi and Kaku, taken alone or in any proper combination, fails to disclose or suggest Applicants' claimed features as recited in Claim 4. Specifically, the cited prior art references fail to disclose or suggest that the recording control circuit includes an information memory in which information indicating whether an image outputted to the display device via the image signal switching circuit is a still image or a motion image is stored; and the recording control circuit automatically determines a recording mode of recording processing by the recording processing circuit by referring to the information stored in the information memory indicating whether a still image or a motion image when the operation section instructs image recording.

Therefore, for at least the reasons provided above, Claims 4, 9, 14, 15, 26, and 29 – 31 are believed to be allowable over the cited prior art references. Accordingly, Applicants

respectfully request withdrawal of the rejection with respect to Claims 4, 9, 14, 15, 26, and 29 – 31 under 35 U.S.C. § 103(a) over various combinations of Nishimura, Kobayashi, Kaku, Taniguchi et al., Wright et al., Sakai et al. and Takeuchi et al.

CONCLUSIONS

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1, 4 – 6, 9 and 14 – 16, 19 – 21, 23 and 25 – 34 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Applicant's undersigned attorney at the number indicated below.

Respectfully submitted,

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